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MISCELLANY.

Jury Duty.—The article of Mr. Jackson Guy in the Virginia Law Register on juries and verdicts has attracted much attention, especially the statement emphasized that there are now fifty-six classes of citizens exempt from jury service. The Montgomery Advertiser thinks that this is a bad showing for the Old Dominion. "We do not now call to mind," says the Advertiser, "the exact number of classes who are exempt in Alabama, but it is small compared with the Virginia list. Under the conditions existing there it is not to be wondered at if jury verdicts have fallen into more or less disrepute in that State."

We are not aware that jury verdicts have fallen into disrepute in Virginia, but occasionally there is a miscarriage of justice, and in such an event those who utter the loudest cry in protest are those who have managed, under one exemption clause or another, or upon some pretext, to escape jury service. There are public burdens, and they should rest as evenly as possible upon all citizens. It is as much a citizen's duty to perform jury service as it is to pay taxes, or to shoulder arms against an invading foe. It speaks poorly for good citizenship and patriotism in Virginia that so many classes of citizens should seek exemption from this duty, and it is no wonder that the Montgomery paper should administer a rebuke.

Apart from all this, however, in order to have the best jury service, the court should have the privilege of choosing the best men in the community to serve, and many of the best men are to be found in the exempted classes. It often happens, therefore, that the court finds itself considerably embarrassed when in need of an exceptionally good jury. It can only use the material in hand, and must sometimes resort to the professionals who hang around for the little pittance that a juror receives. As a rule the man who hangs around seeking a job in the jury box is, in the nature of the case, an unfit person to serve; whereas the business men who shirk are those who are best qualified. From time to time the Legislature has enlarged the list of exemptions, but the time has come for a halt, and we hope that the next Legislature, instead of expanding the list, will materially curtail it.

An Appeal to Lawyers.—Lawyers constitute the largest element in all law-making bodies. In some legislatures they are an actual majority of the membership, and they often come very near it in the Congress of the United States. They form so pronounced and influential a portion of all governing bodies that it is not saying too much to assert that by concerted action lawyers can largely control the decisions of legislative bodies, both in America and Europe, and so are in a very large measure responsible for the course of legislation and the conduct of the courts of the civilized nations of the earth.

This is not to be considered an evil in itself. Lawyers beyond any other class of men are trained to make fine distinctions and to consider the effect of proposed laws. They have both the ability and the

position to render the largest service to righteousness and good order in the nations of the earth. No other class of people can do so much, and others can do but little in arranging just and effective laws without the co-operation of lawyers. And they are chiefly responsible for the existing laws, constitutions and court procedure of all civilized nations.

It will be admitted that governments and courts should be of a character to enjoy the confidence of all persons of right thought and upright moral character. But what do we find? Instead of that trust and loyalty which decent and moral persons should feel toward governments and courts, there is a very general distrust of governments, from municipal to national, and a genuine horror of courts, among the most moral and orderly and law-abiding people in every community. When a measure, manifestly adapted to promote the health, happiness, comfort and security of the people, is before a legislative body, honest and good-ordered people feel no assurance whatever that it will pass on its merits, but are fully aware that the enacting of legislation is far more subject to the exigencies of party welfare, or even in some instances to bribery and corruption, than to considerations of the welfare of the people.

But it is in regard to courts and court procedure that the present condition of things is most threatening to the well-being of the people. It will not be denied that the courts ought to be the refuge and protector of honest, law-abiding citizens. They should be of such a character that good people would, in case of need, resort to them with confidence and pleasure, and with an assurance that justice would be done surely and promptly, and that right would always prevail. Instead of this, everyone who is at all acquainted with the feelings of his fellowmen, is painfully aware that the good citizen will only resort to a court in cases of extreme necessity. The best citizens will suffer almost any amount of indignity and wrong rather than apply to the courts; and the best lawyers themselves show their distrust of courts by always advising their clients to keep out of court if possible. Such men as Lord Charles Russell of England have declared that the present methods of court procedure are framed in the interest of criminals, and this opinion is indorsed by Justice Henry B. Brown of the United States Supreme Court and other eminent jurists of this country.

This is a condition of things which ought to be remedied, and which lawyers can cure more readily than any other class of people, more easily than all other classes of people. For the benefit of the public, for the rescue of society from anarchy and corruption, for the good name of human government, and for the elevation of the reputation of the legal profession, the situation appeals to lawyers to combine in the promotion of an effort to simplify and clarify the laws and the procedure of the courts, so that honest and well-intentioned citizens can readily know what they ought to do to obey the laws, and that both law-making and law-administering bodies and officials shall merit and receive the full confidence and loyalty of all moral and right-thinking persons.—From the Watchman of Aug. 10th.